

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

HOMER EARL CHATMAN	§	
V.	§	CIVIL ACTION NO. 9:07CV102
NACOGDOCHES COUNTY DISTRICT COURT, ET AL.	§	

ORDER OF DISMISSAL

Came on for consideration the above-referenced civil action, this Court having heretofore ordered that this matter be referred to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore,

ORDERED that Plaintiff's claims shall be and is hereby **DISMISSED WITH PREJUDICE** to their being asserted again until the *Heck* conditions are met. The dismissal of this lawsuit shall not prevent Plaintiff from refiling his claims against proper party defendants at such time as the *Heck* conditions are met, nor shall it prevent him from challenging the legality of his convictions or the computation of his sentences through any lawful means, including but not limited to the pursuit of administrative remedies or the seeking of habeas corpus relief in state or federal court.

All motions by either party not previously ruled on are hereby **DENIED**.

So **ORDERED** and **SIGNED** this **24** day of **July, 2007**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge